

MILFORD PLANNING BOARD PUBLIC HEARING
October 16, 2012 Board of Selectmen's Meeting Room, 6:30 PM

Present:

Members:

Janet Langdell, Chairperson
Tom Sloan, Vice-Chairman
Paul Amato
Kathy Bauer
Chris Beer
Steve Duncanson
Malia Ohlson, Alternate member

Staff:

Jodie Levandowski, Town Planner
Bill Parker, Community Development Director
Dan Finan, Videographer

Excused:

Judy Plant

Susan Robinson, Alternate member

PUBLIC HEARING:

1. **2013-2018 Capital Improvements Plan.**

MINUTES:

2. Approval of minutes from the 09/18/12 meeting.

OLD BUSINESS:

3. **Dudley Family Trust / Professional Offices at 388 Nashua St - Nashua St – Map 31, Lot 12;** Minor site plan for a change of use from residential to office in the Residence “A” District.
(Tabled from 9/18/12)

NEW BUSINESS:

4. **Brenda L Danforth – Young Rd – Map 51, Lot 17;** Public Hearing for a subdivision creating two (2) new residential lots.
(Meridian Land Services, Inc.)
5. **Buchanan Construction Corp/Carole M Colburn Revocable Trust – Nye Dr & Osgood Rd – Map 51/1 and 51/1-2;** Public Hearing for a lot line revision and subdivision creating one new residential lot.
(Meridian Land Services, Inc.)

OTHER BUSINESS:

6. **Proposed Retail – Elm St and West St;** Discussion for proposed retail at the southeast corner of West St and Elm St.
(Tropic Star Development, LLC.)
7. **Ducal Development LLC – North River and Mont Vernon Roads – Map 8, Lot 52;** Discussion for Senior Housing Development, North River Road and Mont Vernon Road.
(Meridian Land Services, Inc.)

Chairperson Langdell called the meeting to order at 6:30PM, introduced the Board and staff, explained the process for the public hearing and read the agenda.

PUBLIC HEARING:

2013-2018 Capital Improvements Plan.

J. Langdell acknowledged the CIP committee members; Chairman Steve Duncanson, Gil Archambault, Kevin Drew, Conrad Koch, Matt Lydon, Joe O'Neil, and Judy Plant, and thanked the citizen volunteers for lending their time and talents.

Bill Parker, Community Development Director presented the 2013-2018 CIP (Final Draft version).

B. Parker gave a PowerPoint presentation and a brief history of the Capital Improvements Plan and explained that the Town of Milford Planning Board has the responsibility to put together the Capital Improvements Plan (CIP) which is a planning tool utilized by the town decision-makers to lay out necessary capital improvement expenditures with a cost of at least \$75,000 over a 6-year timeframe with the intent of maintaining as level tax rate impact as possible while providing for the needs of the Town. The CIP was authorized by state statute and by Town vote in 1995. B. Parker explained the intent of the CIP is to preserve public health, safety, and welfare, anticipate the demands of growth in town, avoid undue tax increases, develop a fair distribution of capital costs, build a foundation for growth management and impact fees, identify 'scattered and premature' development and support economic development. He then explained the following in detail:

- Benefits to the Community
- The CIP process
- Criteria used in reviewing projects

B. Parker then turned the presentation over to Steve Duncanson who then presented the 2013 calendar year projects for consideration:

TOWN PROJECTS:

- Replacement of the 1999 and 2003 Ambulances: a total cost of \$335,000 for both ambulances
- Nashua Street Sidewalk Construction from Medlyn Monument to Walgreen's: Phase 1 & Phase 2 of the Nashua Street Sidewalk Plan was combined for a total cost of \$286,000.
- Replacement of an 8 cubic yard Dump Truck for DPW that was sold at auction in 2010 – at a cost of \$150,000.
- Replacement of a, 6 cubic yard Dump Truck- a replacement of one that is currently being used by Parks and Recreation Department, Highway Department and Water Utilities – for a total cost of 90,000.
- Vacuum Sweeper; S. Duncanson noted that this item is on the CIP because the Federal Government mandated that the Town clean the storm drains twice a year and purchase of sweeper will account for the cleaning of 80% of the Town's storm drains – a total cost of \$230,000.

SCHOOL PROJECTS:

- Milford High School Parking – Phase I- \$110,000 for land acquisition; S. Duncanson gave a breakdown of the cost at 105,000 for the land and 5,000 for other fee's associated with obtaining the land.
- Milford High School Fire Alarm System Upgrade – at a cost of \$279,000.
- District Wide VOIP System ; Intercom system within all Milford schools – a cost of \$263,320.
- Milford Middle School Carpet/Tile Replacement- a total cost of \$105,181.
- Milford Middle School Roof Replacement – a total cost of \$584,000.

S. Duncanson read the following important notes in to the record:

- The Advisory Committee is charged with reviewing each project request and considers its placement in the six-year plan relative to the criteria and justification provided by the department.
- Intent is to keep the tax rate impact as LEVEL AS POSSIBLE if ALL projects for a given year are funded.
- Individual Advisory Committee members may or may not personally support the project, but act and vote on the BOTTOM LINE tax rate impact.

S. Duncanson went over the Tax Impact Table and mentioned the above projects would bring the town's total debt service which includes existing projects and new projects for 2013 to \$1.77; for 2014 to \$1.75; for 2015 to \$1.78; S. Duncanson ended the presentation and asked the Board for any questions they may have.

J. Langdell questioned what the rationale was behind the combining of phase 1 and phase 2 of the Nashua Sidewalk Improvements Plan was. S. Duncanson explained the rationalization of that all came down to money, equalizing the tax impact, and what made the most sense. J. Langdell also inquired about the 2013 date for the new ambulances and are they planning to get the new ambulances before or after the new station is built. When is the new station supposed to be completed. B. Parker answered that he wasn't sure of the construction schedule, but ground breaking will be as soon as they can in the spring. Since there is no place to house the new ambulances at this time, they will most likely be timed with completion of the new station.

Chairperson Langdell opened the floor for public comment. There being none, the public portion of the hearing was closed.

Kathy Bauer made a motion to adopt the 2013-2018 CIP as recommended. Chris Beer seconded and all in favor.

J. Langdell again acknowledged the CIP committee members and volunteers for their time;

MINUTES:

C. Beer and K. Bauer suggested several typographical changes to the September 18, 2012 minutes.

J. Langdell made a motion to approve as amended. Moved by S. Duncanson. T. Sloan seconded and all in favor.

OLD BUSINESS:

Dudley Family Trust / Professional Offices at 388 Nashua St - Nashua St – Map 31, Lot 12; Minor site plan for a change of use from residential to office in the Residence "A" District.

Chairperson Langdell gave a brief overview of the project as it was tabled from the September meeting.

J. Langdell recognized:

Steve and Kim Roberge, owners

Kim Roberge provided an overview of the revised site plan illustrating all existing and proposed landscaping on site. K. Roberge explained a portion of a chain-link fence has been removed due to the installation of gas lines to the house. However, the remainder of the fence located along the side and rear lot lines shall remain in existence. K. Roberge explained they are proposing four additional vegetative plantings along the side lot line to create a buffer area between the adjacent property. There are a proposed two home run rose bushes and two flower corps rose bushes. K. Roberge explained they were advised by Ponemah Farms that the plantings can grow between 3-5 ft. wide by 5 ft. high and can be chopped down and will grow right back.

J. Langdell pointed out the significant change to the parking arrangement on site. K. Roberge noted this is to allow for a more suitable area for backing out and turning. K. Roberge then noted the additional parking space shown on the plan.

J. Langdell asked for clarification on the location of the removed chain link fence. K. Roberge explained they would be leaving the chain link fence on the side and rear lot lines for protection of the plantings and from a plowing stand point. At this point there is no intent on taking down the fence.

K. Bauer asked for clarification on the location of the handicap parking spot and if its location in front of the garage is acceptable.

J. Langdell noted the snow storage area was no longer shown on the revised plan and asked where snow will be stored. K. Roberge apologized for leaving that area out on the revised plans, however snow storage shall remain where it was originally proposed in the northeast corner of the lot near parking spaces 1 and 2.

Chairperson Langdell opened the floor for public comment. There being none, the public portion of the hearing was closed.

P. Amato pointed out the Board is at a similar spot that they were a month ago, potentially granting a conditional approval pending a positive resolution of their variance request from the Zoning Board of Adjustment.

T. Sloan mentioned that he liked the new layout of the existing and proposed landscaping on site and that It makes it a little bit easier to understand. T. Sloan was wondering if any thought was given to screening the parking lot area from the head on. Steve Roberge said they thought a flower bed would be appropriate but they were afraid of anything too tall because of the site lines on Nashua Street can be difficult. J. Langdell pointed out at the last meeting there was discussion that the adjacent lot has shrubs in front that run along the side walk and coming out of the street adjacent is very difficult. T. Sloan further added that it would add a great deal to the building. K. Roberge stated that they do not plan to mow in that area and were thinking of orange and yellow day lily's and cone flowers since they get tall. K. Roberge added that a lot of people throw their trash in that area as they walk by. T. Sloan questioned if the flower beds would properly screen the cars parked there from the front.

J. Langdell asked for clarification on the number of parking spaces required on site. J. Levandowski confirmed that six (6) spaces and one (1) handicapped space are required. J. Langdell suggested that the note be revised to reflect that.

P. Amato made a motion to approve the plan conditional on ZBA approval and the ZBA case number being added to the plan. S. Duncanson seconded and all in favor.

K. Roberge personally thanked the staff members of the Community Development Office for all their assistance during the process and for being so nice to work with.

NEW BUSINESS:

4. Brenda L Danforth – Young Rd – Map 51, Lot 17; Public Hearing for a subdivision creating two (2) new residential lots. *No abutters were present.*

Chairperson Langdell recognized:

Randy Haight, Meridian Land Services, Inc.

J. Langdell stated based on staff memo the application is complete and asked the board if they believe the application presented any potential regional impact. S. Duncanson made a motion that this application did not present potential regional impact. P. Amato seconded and all in favor. C. Beer moved to accept the application. P. Amato seconded and all in favor. J. Levandowski read the abutters into the record.

Randy Haight presented the plan dated 8/17/12 and explained that the sole purpose was to subdivide lot 51-17 which is 15.8 acres on the middle portion of young road owned by Brenda Danforth. The proposal is to subdivide off two lots of a little over 2 acres at the southeast portion of the lot. Both lots shall be conveyed to the sons. We have submitted for state subdivision approval and have received approval for both lots. R. Haight presented site distance profiles for the driveways to demonstrate there will be no issues with site distance on site. The remaining lot will have about 613 feet of road frontage and 11 acres after the subdivision.

J. Langdell mentioned the proposed new lots are located along a Scenic Road. R. Haight agreed that Young Road is a scenic road, however there are no stone walls located within the right of way and gave a brief explanation of the property history.

Chairperson Langdell opened the floor for public comment. There being none, the public portion of the hearing was closed.

T. Sloan inquired about the western lot and where the on-site treatment will be located. R. Haight demonstrated the location of the treatment areas on each lot and explained those locations were based on the proposed position of the new residences.

C. Beer made a motion approve the application subject to staff recommendations from the Memo dated 10/16/12. S. Duncanson seconded.

T. Sloan questioned if the proper abutter was notified since the lots are incorrectly labeled on the plan. R. Haight responded that the correct abutter was notified however, the parcel will need to be revised to reflect the correct map and lot number.

Buchanan Construction Corp/Carole M Colburn Revocable Trust – Nye Dr & Osgood Rd – Map 51/1 and 51/1-2; Public Hearing for a lot line revision and subdivision creating one new residential lot.

Abutters present:

Carole Colburn, Owner of Map 51, Lot 1

J. Langdell stated based on staff memo the application is complete. C. Beer moved to accept the application. T. Sloan seconded and all in favor. J. Langdell asked the board if they believe the application presented any potential regional impact. C. Beer made a motion that this application did not present potential regional impact. T. Sloan seconded and all in favor. J. Levandowski read the abutters into the record.

Chairperson Langdell recognized:

Randy Haight, Meridian Land Services, Inc.

J. Langdell pointed out that the board had visited the site before a couple of times. Randy Haight explained a brief history of the property and that the last time this property was in front of the Board was to subdivide off 3 frontage lots and create a common driveway (Nye Drive) from lot 51-1 leaving the remainder lot of about 88 acres. What the current plan shows all the ghosted in lots that were conditionally approved during the design review. R. Haight explained how the current Lot 51-1-1 looks today. What has come back is that they now plan to discard one of the lots, having one less and making lot 51-1-1 a more regular lot by swapping parcels A and B and then subdivide the revised 51-1 having frontage on Osgood Rd but taking access from Nye Drive, similar to lots 2 and 3. R. Haight explained that everything what is being shown to the Board is the same as what was presented in the preliminary plan and the only thing to be changing would be the amount of paved area.

J. Langdell asked for clarification that the new lot will take access off of Nye Drive with no future plans of access off of Osgood Rd.

P. Amato clarified that Nye drive is not a road. Then asked how much frontage for 51-1-4 was on a principal route of access. P. Amato asked if Osgood wasn't a good way to access the lot. R. Haight said it would be bad planning to have access of Osgood Road and it would make better sense to have all driveways off of Nye Drive. P. Amato asked if Nye Drive was built to Town Standards right now. R. Haight said no, however it is the plan to construct the road to town standards and that way when the road is built everyone's driveway will be in the right locations. P. Amato was concerned about Nye Drive becoming a dead-end road. R. Haight explained that the common drive and the language included was approved by Town Council.

Chairperson Langdell opened the floor for public comment. There being none, the public portion of the hearing was closed.

R. Haight pointed out that State Subdivision has been approved and the note on the plan shall be updated to reflect that number.

J. Langdell reiterated a comment made by Heritage Commission on the removal or disturbance of stone walls on site. If there was some destruction of stone walls to gain access to the new lot then a scenic road public hearing would be necessary.

J. Langdell said the Board would be hard pressed to see this subdivision come back one more time for an 88 acre lot and chip away at it lot by lot, which would be bad planning. R. Haight made note that the subdivision was never intended to be this way, it was the economy that caused all of it. P. Amato asked if there has been anything done to hurt the conceptual plan. R. Haight said they have diminished it by one lot.

P. Amato made a motion to grant conditional approval of the application subject to staff recommendations from the Memo dated 10/16/12. C. Beer seconded and all in favor.

OTHER BUSINESS:

Proposed Retail – Elm St and West St; Discussion for proposed retail at the southeast corner of West St and Elm St.

Chairperson Langdell recognized:

Jim Mitchell, Tropic Star Development, LLC

Barry Guyer, Jones Beach Engineers

Jim Mitchell gave a brief history of the proposed retail pharmacy. About a month ago Tropic Star spoke with planning staff on the proposed pharmacy. The project is located at the corner of Elm and West for a proposed pharmacy of 13,225 square feet. They thought originally of leaving the gas station behind since it is an established business however it would not be feasible and they do have that lot under contract. They are looking to revamp that corridor.

Barry Guyer presented the plan and gave a quick overview of the proposal. The project is located in the southeast corner of the intersection of west and elm. They will be utilizing the existing Citgo along with 4 other residential properties to make up 1.8 acres. The proposal is to construct a 13,325, full retail center with full access on both Elm and West Street, dedicated loading zone and drive thru with 73 parking spaces. J. Mitchell explained they had originally had Mr. Rasmussen's lot which is the end lot that abuts the railroad tracks under contract. However, due to the costs on the project, unfortunately they have terminated that contract. They would like to relocate the barn structure that is currently on the property to the east on to the proposed pharmacy lot.

J. Mitchell explained what they are seeking is preliminary and they would like feedback and comments from the Board to make a better project.

J. Mitchell gave a background of their company, Tropic Star Development. They have 8 pharmacy projects which they own. J. Mitchell pointed out one of the unique things about their company is they hang on to the land they are not the type of developers that will do the deal and flip the land. J. Mitchell said for us, we have found that having a really nice design and the landscaping is not something they cheap on. Having a nice landscape and having a clean parking lot makes people want to shop there. Typically they spend close to 75,000-100,000 in landscaping design fees.

C. Beer inquired about the plan and the location of the existing barn.

P. Amato asked if the relocated barn would be located on the pharmacy property. J. Mitchell replied yes, that is correct. P. Amato so what is your potential use of the barn? J. Mitchell we would just use it for storage. Our company is based out of Hampton and ultimately we always try and preserve if we can. P. Amato said so you would own the property and lease is to a pharmacy. J. Mitchell yes that is correct. P. Amato you have found that it works better if you hold on to the property and lease it to a pharmacy? J. Mitchell yes that is correct. Our tenant signs a 25 year lease. J. Mitchell we own some gas stations we own some pharmacies we own Dunkin Donuts. P. Amato but you don't run it? J. Mitchell that's correct but we retain the land and maintain it as well.

P. Amato mentioned as a point of interest there is a piece of property on the west end of town near the Irving gas station. From a planning board stand point they thought it was a great location for a pharmacy because the towns of the west and north of Milford have no pharmacy and this location has a traffic light. J. Langdell mentioned the Irving at that location was one of the highest used Irving's in this area. J. Mitchell asked how far from the proposed location this would be. J. Langdell said about 2 miles. J. Langdell also noted the vacant lot zoned for a restaurant down by Walgreens available.

C. Beer inquired how much open space would be provided for on the plan. B. Guyer responded that they have not completed the calculations yet; however it appears to be about 30 percent or so.

J. Mitchell noted one thing they took in to account when preparing their design was the new Milford Ambulance Facility that is proposed a few lots down. J. Mitchell presented elevation rendering to the board of a previous project that was completed. They tried to play off the architecture of the ambulance facility.

J. Langdell inquired about a possible connection from Columbus Ave to West Street as a one way drive out to West Street. J. Mitchell said they have looked at that option however they do have concerns with creating an access drive from Columbus Ave to West Street because of people trying to circumvent the light and using that as a cut through. J. Mitchell said they would most certainly review that option again but they do need to ensure the proper circulation of the building.

P. Amato asked if this would potentially change the intersection. J. Langdell added since they were talking about traffic, the full access point on Elm Street and given the way that it is laid out now and that something should be considered as to making that a right turn only coming out. B. Guyer said they have pushed the full access point as far away from that intersection as possible from both elm and West Street. P. Amato added that when you are coming out on West Street is right where it gets very narrow down and it is very difficult to make that turn. J. Mitchell said they would look in to that and speak with their traffic engineer and have a traffic report done.

J. Langdell mentioned the quality of the light at that intersection and that the light at that intersection is on a string and will likely need to be replaced.

T. Sloan asked if there was consideration to making the entrance on West Street directly across from the retail establishment across the street. J. Mitchell said they believe it has been discussed and he will look in to it. He is wondering if that would make more sense.

P. Amato inquired if the footprint for the proposed pharmacy is a similar footprint from the Rite Aid across the street. J. Mitchell said he did not know the square footage of the Rite Aid. B. Parker said he believes it is of similar size. P. Amato said he asked because the Rite Aid does not have anywhere near the amount of parking they are proposing. J. Mitchell said the Rite Aid lot has a wetland area on site and it limits their loading area and he believes they do not have a designated loading dock. P. Amato agreed. P. Amato added that when the Rite Aid receives delivers they do not have drive thru access. J. Langdell agreed.

C. Beer asked how many parking spaces were shown on the plan. P. Amato asked how many are required by the regulations. J. Levandowski responded that 53 are required. P. Amato asked if 73 parking spaces are proposed because the tenant feels that is how many they will need for their business. J. Mitchell said that is correct.

J. Langdell added that this location is within the Nashua & Elm Street Corridor District and that district requires parking areas to be located on the side or rear of the building. J. Langdell added that the plan is a bit counterintuitive to what the guidelines require by showing the parking in the front of the lot. J. Langdell asked how far back the proposed building is set back from the sidewalk relative to the Rite Aid across the street. J. Mitchell said they have looked at the street space already when designing the building. However they have run in to circulation issues and he will certainly look in to how far the Rite Aid is in comparison to their proposed building.

J. Langdell asked if the additional 12 parking spaces could be moved elsewhere and have the building moved up closer to the street. B. Guyer said they did look into pulling the building up and with the drive thru, it makes it difficult to circulate the building and they will end up with the same situation the neighbor has with blocking traffic and parking areas during delivers.

K Bauer added that when the Town voted in the Nashua Elm Street Corridor District guidelines what they were trying to do was avoid big expanses of asphalt on the street and this proposal is doing just that on two streets. K. Bauer also added the driveway on to Elm Street and the driveway on West Street may require more detail as to why those driveways cannot be one way since both Elm and West Streets are very busy. J. Langdell added that the high school is located at the end of West Street along with a considerable amount of housing. K. Bauer added that having the West Street entrance as a form of egress and ingress may add to the existing traffic problems in that area. B. Guyer asked if they were suggesting having the West Street entrance a one way or moving it closer to

Elm Street. K. Bauer said maybe if you could get in on the wider part of West Street closer to Elm Street. J. Langdell added or straight across from the Rite Aid entrance on West Street.

P. Amato asked if they did acquire that additional property then they could increase the right of way for west street right there. J. Mitchell added that this was the most expensive piece of property they will be buying in New Hampshire. J. Mitchell said it is very difficult for them because none of the properties are ever for sale when they knock on the door and they will certainly take in to account all of the Boards recommendations moving forward.

J. Langdell brought up what will be changing in the area with the development of proposed pharmacy and gave a brief background of each lot that will be involved.

J. Mitchell thanked the Board for bring up the location of the vacant lot by the Irving station in the west part of town and that they will certainly consider that location and see if it will work for what they need. They have been searching all around town for the last year for a location that will be a proper location for this.

J. Langdell pointed out that Milford is a very desirable location for the developers since they have been spending so much time and effort in locating in town. J. Mitchell said these things tend to take a long time but this is a market that they have identified and they believe in the Town and want to move forward on it.

K. Bauer said when she looks at the plan as it is proposed sees serious planning problems with it that had previously been mentioned. K. Bauer said that she would not be able to vote for the plan as it exists. K. Bauer also added that one thing that hasn't been talked about was the landscaping on site. J. Mitchell said that the landscaping plan would be at the desire of the board and they will most certainly put together an elaborate landscape plan to present to the board when they come back. J. Mitchell asked if he could be afford the time to revisit all the concerns that were brought up and then come back to the Board with a landscaping plan. K. Bauer asked if there was also proposed landscaping provided on West Street. J. Mitchell said yes that is correct and one of the plantings they have used before is boxwood head which stays fairly low to the ground and works well for screening.

S. Duncanson added that all of his concerns have been addressed by K. Bauer. C. Beer agreed, specifically the amount of parking spaces provided on the plan.

P. Amato asked why does it work to locate one pharmacy across the street from another pharmacy. J. Mitchell said the business condones it and its good competition. They have done the market analysis and it is shown that Milford is a desirable area. J. Mitchell added that in this business it's based off of convenience as well and it's not convenient if you're on the outskirts of town. J. Langdell added that pharmacy's today are like the modern day mom and pop stores.

T. Sloan added that they have some obstacles to overcome in regards to the building and the esthetics of the plan. T. Sloan also added that the rendering provided shows a flat roof and the district regulations specifically require pitched roofs. J. Langdell also added that she would like to see a traffic report for that area. K. Bauer asked if the trees shown in the rendering are they just for the rendering or are they possibilities to be used in the landscaping plan. J. Mitchell said they most certainly can be used for landscaping. K. Bauer said so far she is not convinced that this is a good tradeoff because of the buildings that would be lost and the traffic and the location of the parking. She would have to see several things changed on the plan before she would be in favor of this.

C. Beer asked K. Bauer if the plan was more like the Rite Aid layout if she would be more for the plan. K. Bauer added that two wrongs don't make a right and they corridor district was put in place for a reason. C. Beer wanted to make it clear that the Board does not want them to duplicate what is seen at Rite Aid.

J. Langdell added that the Board has to look at the context of the street and where this is located. J. Langdell added that personally she does not like the extra row of parking.

P. Amato pointed out that he liked that this developer intends to continue to own the property and to maintain the property because the landscaping across the street is not overly maintained. J. Mitchell added if anyone is familiar

with the Galley Hatch Restaurant in Hampton that's where their offices are located and they own the property right next door. P. Amato asked if they had any projects that were on this side of the state. J. Mitchell said they had on in Epping and one in Concord that just completed construction on Loudon Road. J. Langdell asked what project they had in Concord. J. Mitchell said it was a Burger King and a Pharmacy. P. Amato asked if that was on Loudon Road heading east or west. J. Mitchell replied that it was on west bound side. T. Sloan asked if that was a remodeled Burger King. J. Mitchell said no, they actually tore the Burger King down and rebuilt it and it just opened about a month ago.

J. Mitchell said unfortunately one thing he cannot change is the footprint however he can work very aggressively on landscaping and taking the Boards recommendations there and revisit the parking layout. If the Board has any issues with the rendering of the proposed building he would appreciate any feedback on that. J. Langdell added there is a pharmacy in town that used a treatment that was said to look like granite however, it looks more like concrete blocks and the Board does not like that. J. Mitchell said they would not be using that treatment.

K. Bauer asked when they come back if they could present a strong argument for keeping the two ingress and egress entrances and to possibly consider making them one way.

J. Langdell said that when the Nashua and Elm Street Corridor district was developed part of what was talked about was current distance of existing buildings from the sidewalk. The ambulance facility placed their building at that location so as to be in keeping with the law offices and Robins Auto. A lot of it is keeping with the context and what the streetscape is in that area.

P. Amato added that it's difficult to get in to the Rite Aid because it is so narrow. J. Langdell agreed and added that recently people have been making the left hand turn on to Elm Street out of Rite Aid because the sign is down and it's difficult. J. Langdell added that she would be open to thinking more about it if a traffic study was prepared.

J. Mitchell thanked the Board for letting them come in and the discussion was ended.

J. Langdell called for a 2 minute recess.

Ducal Development LLC – North River and Mont Vernon Roads – Map 8, Lot 52; Discussion for Senior Housing Development, North River Road and Mont Vernon Road.

Chairperson J. Langdell explained the reasoning for the discussion and that it was per the request of the Milford Zoning Board relative to a letter/memo that was sent to the Planning Director and the Planning Board as they are deliberating over a special exception and clarified that she does not want anyone to get confused that this is the conceptual review or a design review and tonight's objective is to respond to the request from the Zoning Board. This is not a public hearing however it is a public meeting.

Chairperson Langdell thanked Bill Parker, Zoning Administrator for preparing a very thorough and detailed packet of information for this evenings meeting and asked B. Parker to give a summary of the project and the projects history with the Milford Zoning Board. B. Parker presented a summary of the project based on the packet materials.

Chairperson Langdell recognized:

Ken Clinton, Meridian Land Services, Inc.

Erol Duymazlar, Ducal Development, LLC

Jim Callahan, Project Attorney

John Callahan, Ducal Development, LLC

Specific to the ten (10) items referred for Planning Board input, J. Langdell got in to the first question submitted by the Zoning Board regarding density.

K. Clinton distributed revised plans dated 4/13/12 and introduced the potential project on lot 8/52 at the former Hutchinson House, at the junction of Rte 13 and North River Rd. Our concept tonight shows one single property and the house will be converted into residential units. The concept shows twenty-seven senior housing units comprised of single and duplex structures. The current barn will be split into several units along with the house. The other major change on the revised plan is the points of access to the senior housing development. The original concept showed 2 access points off of Rte 13 and the new one is comprised of one access point. K. Clinton asked if the Board had any questions on the revised plans.

Discussion then followed regarding density and the amount of units proposed on site.

Jim Callahan, Project Attorney, asked if B. Parker's memo could be read into the record. J. Langdell explained that the memo was included in the Planning Board's packets for the evening and therefore they are in the file and on the record.

T. Sloan asked if the proposed density fits in with the project surroundings. C. Beer stated that he is not totally concerned about the density now that they have addressed some of the concerns on site with the new site plan. S. Duncanson asked how many bedrooms are currently in the brick portion of the house. Erol Duymazlar stated that in the brick portion, currently there are 4 and in brick portion of the house and 2 bedrooms in the L portion. P. Amato asked if there will be an elevator proposed for the brick house and the converted barn. E. Duymazlar said at this time, without having an architect involved, he is unsure what types of retrofitting will need to be done. Further discussion followed regarding unit size and bedrooms.

It was the consensus of the Planning Board that the proposed development complies with the allowable maximum density based upon the memo prepared by B. Parker and discussion.

J. Langdell moved on to item number 2, buffers, which was requested by the Milford Zoning Board.

J. Langdell read the following from B. Parkers memo: The concept plan delineates enough space to comply with the required buffer landscaping and screening. A landscaping and screening plan is a requirement of the Planning Board's Development Regulations, and thus will need to be submitted, reviewed, and approved by the Planning Board at the time a formal site plan application is submitted to the Planning Board. J. Langdell then went on to say that the Planning Board is sensitive to the screening of residential properties around this lot. Discussion then followed regarding buffer requirements.

K. Bauer asked if the existing white pines are to remain or will they be taken down. K. Clinton said that some shall remain and some shall be removed. K. Clinton stated that based on the buffer requirements they have met all the criteria in the regulations.

The Boards consensus is that a landscaping and screening plan is a requirement of the Planning Board's Development Regulations, and thus will need to be submitted, reviewed, and approved by the Planning Board at the time a formal site plan application is submitted.

J. Langdell moved on to item number 3, open space, which was requested by the Milford Zoning Board.

J. Langdell explained that the ZBA's concern was that there was no sufficient open space on site because the calculations included the detention basin and they wanted to make sure there was enough open space on site to enhance the quality of life. J. Langdell said based upon the calculation provided in tonight's memo, they have met the standard. K. Clinton pointed out with the new layout of the lot they actually have more open space then was first presented. K. Bauer asked if there was any type of limited common area surrounding the units. K. Clinton said it is likely 5ft. on the sides and 10 ft. on the back. Discussion then ensued regarding common areas.

J. Langdell read the following statement from the memo prepared by B. Parker: The Planning Board, upon the submittal of a 'design review' plan if a special exception is granted, will have the opportunity if it so chooses, to further work with the applicant to determine design of the open space relative to function. The consensus of the

Board is that the plan exceeds the minimum open space requirements and that the added open space shown on the plan they are seeing today is an improvement.

J. Langdell moved on to item number 4, Ancillary Facilities, which was requested by the Milford Zoning Board.

J. Langdell explained that the inclusion of ancillary facilities is a requirement of the Milford Senior Housing Ordinance.

K. Clinton presented the new plan and demonstrated where a common room “CR” shall be located on the plan. Discussion followed regarding the design of the common room and its intent.

It is the consensus of the Planning Board that the development will need to comply with the ancillary facilities requirements while will be further revised at the site plan stage and upon the submittal of a ‘design review’ plan if a special exception is granted, the Board will have the opportunity to further work with the applicant to determine the extent and type of ancillary facilities to be provided as required.

J. Langdell moved on to item number 5, Outdoor Recreation Facilities, which was requested by the Milford Zoning Board.

The Zoning Board’s concern was a lack of design for active recreational purposes on site and there is no provision for active recreation. J. Langdell addressed the definition of passive recreation as it is stated within the Milford Zoning Ordinance.

K. Clinton described the layout of walking paths and trails throughout the site and how outdoor recreation facilities and areas are provided for on site. J. Langdell stated that she was unclear if the Planning Board has ever required a means of active recreation on any of the other more recent senior housing developments in town.

It is the consensus of the Planning Board that the revised plan indicates a more centralized open passive recreation space that better meets the intent of the regulations. Walkways, gardens, and community spaces have been better addressed.

J. Langdell moved on to item number 6, On-site parking, which was requested by the Milford Zoning Board.

It was noted that the space in front of the garage shall be considered a parking spot not the inside of the garage. Light discussion followed regarding the proposed layout of the parking plan. P. Amato asked for clarification of the parking area for units 25, 26, & 27. K. Clinton stated that they may revisit the parking plan for the converted house. S. Duncanson noted that a space is missing for the units located within the converted house.

It is the consensus of the Planning Board that the conceptual site plan complies with parking requirements. The Planning Board considers a driveway, leading to a garage, as a parking space if it provides adequate space to safely park a vehicle.

J. Langdell moved on to item number 7, Drive Aisles, which was requested by the Milford Zoning Board.

In depth discussion ensued regarding the use of one or two entrances off of Rte 13. K. Clinton explained the reasoning for the removal of the second entrance. K. Clinton said it is strictly from a traffic standpoint. This intersection is sort of a roll-thru by some people coming down Rte 13 and they might use as this a cut-through to access North River Rd; it clearly does not meet that design. The sight distance is marginal and it could not be attained with the higher state standards without affecting the direct abutter. It makes sense from an emergency standpoint, but not for full access.

The Planning Board was comfortable with the drive aisles shown on the revised conceptual plan. Any further refinement will be addressed at the site plan review and approval stage.

J. Langdell moved on to item number 8, Sidewalks, which was requested by the Milford Zoning Board.

K. Clinton explained that the revised conceptual plan does not include traditional sidewalks due to the amount of curb cuts that would be required and it wouldn't make sense. The development is a small senior living community with walkways provided throughout and internal sidewalks will not be needed. Heavy discussion followed regarding the lack of internal sidewalks on site and if they are necessary given the design of the proposed development.

It is the consensus of the Planning Board that the proposed conceptual site plan provided walkways/pathways appropriate for the project, with one member strongly feeling that sidewalks were essential.

J. Langdell moved on to item number 9, Access points, which was requested by the Milford Zoning Board.

The Planning Board was satisfied that the revised conceptual plan had adequately addresses initial concerns relative to access to/from Route 13.

J. Langdell moved on to item number 10, Common areas/homeowner's association, which was requested by the Milford Zoning Board.

The Planning Board acknowledged that condominium documents are required for this type of development and that these private documents, although reviewed by the Planning Board, are not within the purview of the Town to approve.

Chairperson Langdell thanked the team for coming in and presenting the information for the tonight's meeting.

There was no other business and the meeting was adjourned at 10:03PM.

MINUTES OF THE OCT 16, 2012 PLANNING BOARD PUBLIC HEARING APPROVED NOV 20, 2012.